

Remarks

Claims 1-38 were pending prior to entry of the present amendments. Claims 33-38 have been canceled. Claims 1-32 remain pending.

Double Patenting

Claims 1-32 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting in view of co-pending U.S. Patent Application No. 10/328,857. Applicant respectfully notes that U.S. Patent Application No. 10/328,857 issued as U.S. Patent No. 7,357,983 on April 15, 2008. Accordingly, Applicants submit a terminal disclaimer herewith for the patent term to U.S. Patent No. 7,357,983. See Exhibit A.

Conclusion

It is respectfully submitted that claims 1-32 are in condition for allowance, and Applicants respectfully request that allowance be granted at the earliest date possible. Should the Examiner have any questions or comments regarding Applicants' response, the Examiner is asked to contact Applicants' undersigned representative at (215) 988-2902.

Respectfully submitted,

LISA PFEFFERLE

SEPTEMBER 10, 2008
(Date)

By:

Kathryn Doyle
KATHRYN DOYLE, Ph.D.
Registration No. 36,317
DRINKER, BIDDLE & REATH, LLP
One Logan Square
18th and Cherry Streets
Philadelphia, PA 19103-6996
Telephone: (215) 988-2700
Direct Dial: (215) 988-2902
Facsimile: (215) 988-2757
E-Mail: kathryn.doyle@dbb.com
Attorney for Applicant

del

EXHIBIT A